

## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Region Annex  
4041 North Richards Street  
PO Box 12436  
Milwaukee, Wisconsin 53212-0436  
Telephone 414-229-0800  
FAX 414-229-0810

January 24, 2000

Bruce Anthony  
Holiday Companies  
P.O. Box 1224  
Minneapolis, MN 55440

Dear Mr. Anthony:

Subject: Case closure, Holiday Gas Station, 744 East Wisconsin Avenue, Oconomowoc, file reference FID #268130720 ERR-LUST

I have reviewed your case file based on documents submitted by your consultant, STS Consultants, Ltd. Based on this information I agree with STS in that no further work is needed. The department reserves the right to reopen this case pursuant to s. NR726.09, Wisconsin Administrative Code (WAC), should additional information regarding site conditions indicate contamination on or from the site poses a threat to public health, safety or welfare or the environment.

To complete the closure of this site, you must place a groundwater use restriction on the property deed at the county register of deeds office which specifies the legal description of the property, the location, type, and concentration of the contaminants and includes the following language:

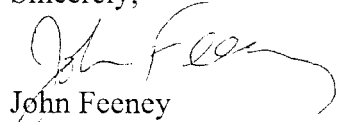
Natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property. Construction of wells where water quality exceeds the drinking water standards in ch. NR809 is restricted by chs. NR811 and NR812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply. Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater to determine what specific requirements are applicable prior to constructing or reconstructing a well on this property.

Within 60 days all of the groundwater monitoring wells at the site must be abandoned in accordance with WAC NR 141 and the completed abandonment forms must be submitted to the department. Once the department receives the abandonment forms and a copy of the signed and notarized deed document, this case will be tracked as closed on our computer tracking system. Please also have the groundwater recovery sumps abandoned. Should any residual contaminated

soil be excavated for construction purposes in the future, it must be properly handled in accordance with NR 718, Wisconsin Administrative Code.

If you have any questions about this letter, call me at 414-229-0850.

Sincerely,

A handwritten signature in dark ink, appearing to read "John Feeney", with a stylized flourish extending from the end of the name.

John Feeney  
Hydrogeologist

Cc: STS Consultants, Ltd.  
SER File

MAY 18 00 00 0232



UC2561484-003

## GROUNDWATER USE RESTRICTION

2561484

REGISTER'S OFFICE  
WAUKESHA COUNTY, WI  
RECORDED ON

05-18-2000 10:08 AM

MICHAEL J. HASSLINGER  
REGISTER OF DEEDSDeclaration of Restrictions

In Re:

All that part of Lot 64, Assessor's Plat No. 3 of the City of Oconomowoc, Waukesha County, Wisconsin, bounded as follows: Commencing at a point on the south line of said Lot 64, distant 290.5 feet Westerly of the Southeast corner of said Lot 64; running thence North 76° West, 112.5 feet to a point; thence North 14° East 225 feet to a point; thence South 76° East, 112.5 feet to a point; thence Southwesterly 225 feet to the place of beginning, plus the easements as granted by the City of Oconomowoc, Waukesha County, Wisconsin, dated August 20, 1964; all that part of Lot 64 in Assessor's Plat No. 3 in Section 33, Town 8 North, Range 17 East, City of Oconomowoc, Waukesha County, Wisconsin, bounded and described as follows: Two strips of land 20 feet in width adjacent and parallel to one on the East and one on the West of the following described parcel: Commencing at a point on the South line 290.5 feet West of the Southeast corner; thence North 76° West 112.5 feet; thence North 14° East, 225 feet; thence South 76° East, 112.5 feet; thence South 76° West, 225 feet to the place of beginning.

Recording AreaName and Return Address

Mr. Arnold Mickelson  
Assistant Secretary  
Indianhead Oil Co., Inc.  
P.O. Box 1224  
Minneapolis, Minnesota 55440

OCOC 0563 318

Parcel Identification Number (PIN)

STATE OF WISCONSIN           )  
  ) ss  
COUNTY OF WAUKESHA        )

WHEREAS, Indianhead Oil Co., Inc., a Wisconsin corporation, is the owner of the above-described property.

WHEREAS, one or more petroleum discharges have occurred on this property. One or more petroleum discharges have occurred at this property. In September 1997, groundwater analysis reported benzene above Wisconsin Administrative Code NR 140 (NR 140) enforcement standards with concentrations of 27 micrograms per liter (µg/L) and 110 µg/L at Monitoring Well MW-A and Piezometer PZ-B, respectively. Benzene was reported above NR 140 preventive action limit (PAL) with a concentration of 4.7 µg/L at MW-B. Methyl tert-butyl ether (MTBE) was reported above NR 140 PAL with a concentration of 22 µg/L at Monitoring Well MW-A. Total xylenes, ethylbenzene, and total trimethylbenzenes was reported above NR 140 PALs with concentrations of 140 µg/L and 106 µg/L at Piezometer PZ-B, respectively. Additionally, groundwater analysis reported lead

MAY 18 00 0 0 0 2 3 3

above NR 140 PAJ, with concentrations of 3  $\mu\text{g/l}$ . and 2  $\mu\text{g/l}$ . at Piezometers PZ-A and PZ-B).

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further groundwater or soil remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding ch. NR 140, Wis. Adm. Code, groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809, Wis. Adm. Code, is restricted by ch. NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or its successor agency, to determine what specific requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

If construction is proposed on this property that will require dewatering, or if groundwater is to be otherwise extracted from this property, while this groundwater use restriction is in effect, the groundwater shall be sampled and analyzed for contaminants that were previously detected on the property and any extracted groundwater shall be managed in compliance with applicable statutes and rules.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall

determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

By signing this document, Mr. Arnold Mickelson asserts that he/she is duly authorized to sign this document on behalf of Indianhead Oil Co., Inc., a Wisconsin corporation.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 11th day of May, 19 2000

Signature: Arnold D. Mickelson

Printed Name: Arnold D. Mickelson \*

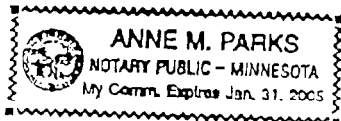
Title: Assistant Secretary \*

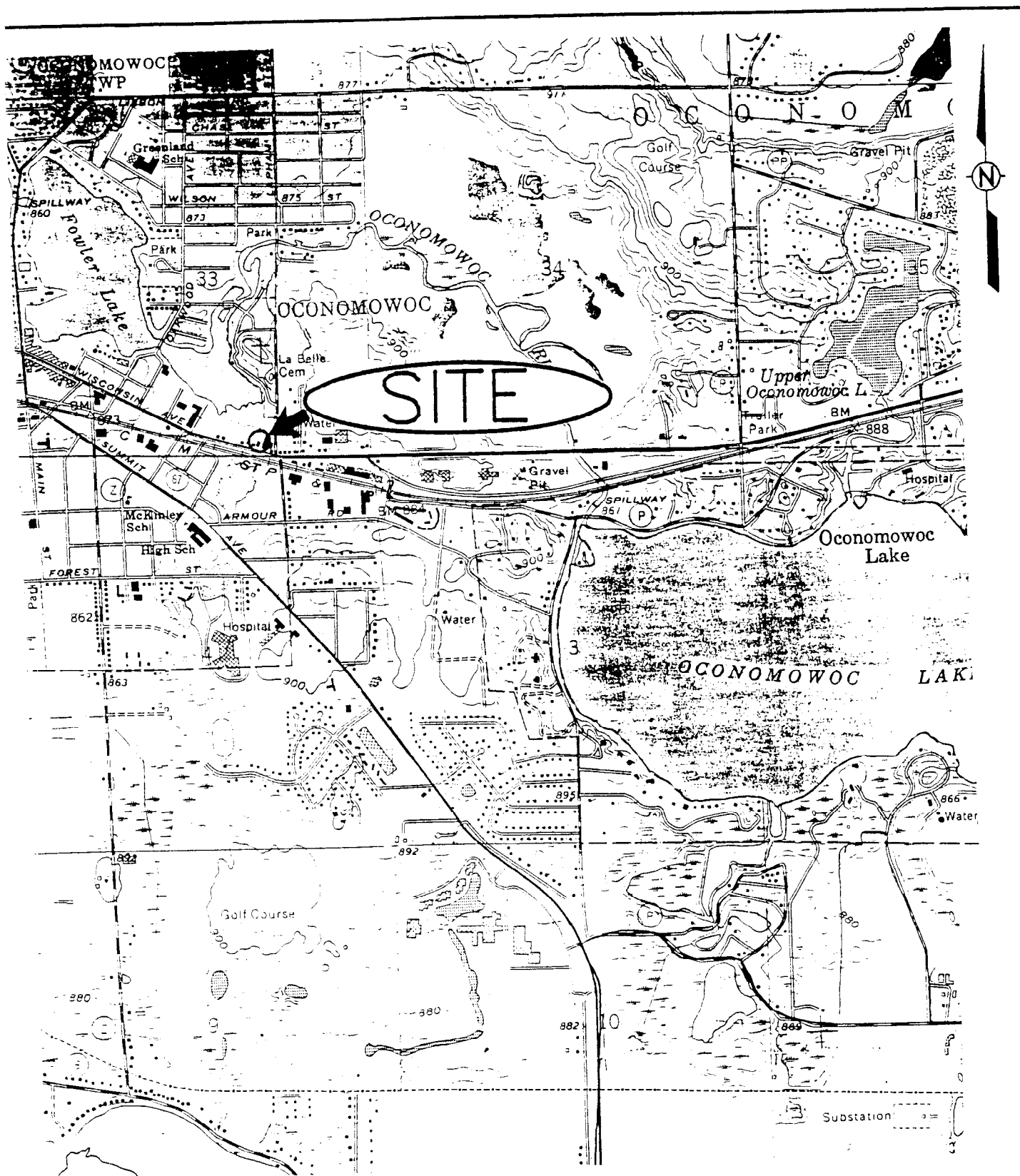
Subscribed and sworn to before me  
this 11th day of May, 19 2000

Anne M. Parks

Notary Public, State of Minnesota

My commission Expires 1/31/05





SOURCE: USGS TOPOGRAPHIC MAP, OCONOMOWOC EAST QUADRANGLE  
DATE 1959, PHOTOREVISED 1971 AND 1976



STS Consultants Ltd.  
Consulting Engineers

PROJECT/CLIENT

SITE LOCATION  
HOLIDAY STATION  
OCONOMOWOC, WISCONSIN

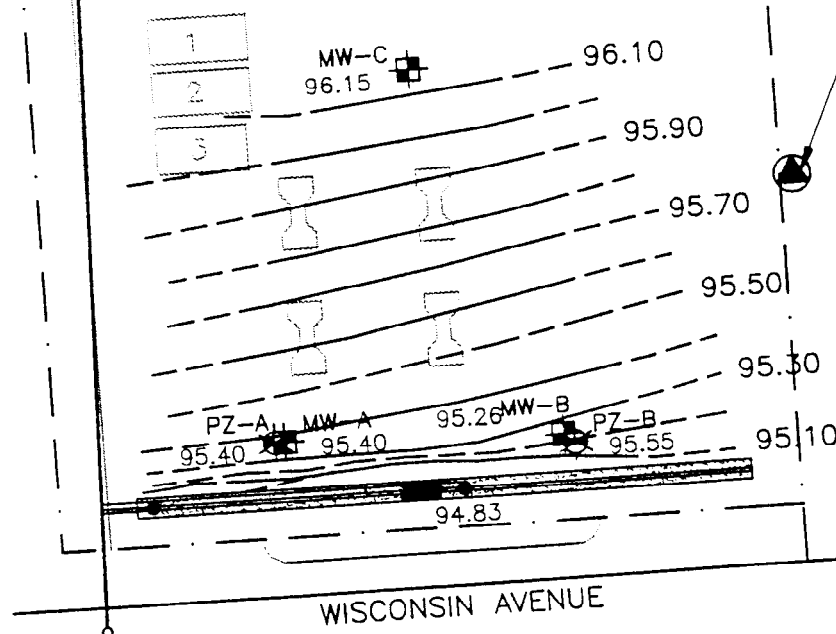
DRAWN BY	J.M.I.	5/3/94
CHECKED BY	M.J.S.	5/3/94
APPROVED BY	T.W.K.	5/3/94
AUTOCAD FILE	SCALE	
83118002	1"=2000'	
STS PROJECT NO.	FIGURE NO.	
83118WH	1	

ORM SEWER

PROPERTY  
LINE

HOLIDAY  
STATION

CITY OF  
OCONOMOWOC  
WATER SUPPLY  
WELL



# LEGEND

UST

DISPENSER ISLAND

RECOVERY TRENCH

REMEDIATION SYSTEM VAULT

MONITORING WELL

PIEZOMETER

GROUNDWATER CONTOUR  
GROUNDWATER ELEVATIONS

SCALE IN FEET  
0 40'



STS Consultants Ltd.  
Consulting Engineers

GROUNDWATER EXTRACTION CONDITIONS  
ELEVATIONS RECORDED OCTOBER 1, 1993  
HOLIDAY STATION  
OCONOMOWOC, WISCONSIN

DRAWN BY	LMc	3-12-96
CHECKED BY	MMM	3-12-96
APPROVED BY	TGW	3-12-96
CADFILE	83118012	SCALE AS SHOWN
STS PROJECT NO.	83118WH	FIGURE NO. 6

PAL	Date Sampled																			
	8/30/90	11/4/90	2/20/91	6/26/91	7/22/91	1/5/93	4/15/93	10/1/93	1/3/94	3/8/94	6/94	9/94	12/5/94	3/13/95	7/7/95	9/18/95	12/14/95	3/6/96	6/20/96	
<i>Sumf</i>																				
0.5	--	47	3	33	28	--	24	--	2.3	20.4	--	--	--	10.9	10.0	12.6	8.15	12	16	
140	--	53	ND	11	19	--	23	--	<1.0	7.8	--	--	--	5.1	2.45	3.97	3.08	5	4.4	
12	--	--	--	--	--	--	--	--	<2.0	<2.0	--	--	--	<2.0	<2.0	<2.0	<2.0	6.3	2.8	
68.6	--	16	1	16	27	--	16	--	<2.0	71.8	--	--	--	<2.0	<2.0	<2.0	<2.0	1.9	3.7	
	--	--	--	--	--	--	38	--	1.5	8.5	--	--	--	2.6	1.89	2.42	2.40	3.9	6.6	
	--	--	--	--	--	--	10	--	<1.0	2.8	--	--	--	<1.0	<1.0	<1.0	<1.0	<2.3	<4.4	
124	--	1,194	10	35	99	--	82	--	4.7	65	--	--	--	10.2	6.98	8.22	7.82	11.9	20.7	
	--	1,310	14	95	173		145		7	165				26.2	19.43	24.8	19.05	30.8	44.8	
1.5	--	--	ND	--	--	--	--	--	--	<2.0	--	--	--	<2.0	<2.0	<2.0	<2.0	<1	<1	
	--	--	--	--	--	--	0.6 (1,2)		<50.0	287 (2,3)	--	--	--	99.3 (1)	80.1 (1,2)	93.2 (9)	88.4 (2,9)	128	123	
<i>MWA</i>																				
0.5	3,010	--	427	--	252	196	200	152	68.6	47.3	--	--		25.5	24.1	32.7	14.4	7.80	35	94
140	193	--	275	--	174	230	320	208	102	63	--	--		74.4	8.8	38.1	11.0	7.47	8.2	36
12	--	--	--	--	ND	ND	--	<10.0	2.2	<10.0	--	--		<10.0	<2.0	2.7	17.9	22.0	35	68
68.6	2,560	--	ND	--	7	9	--	<10.0	7.2	12.8	--	--		<10.0	2.3	3.08	4.29	<2.0	2	6
	--	--	ND	--	388	40	170	24	32.1	53.8	--	--		26.0	1.2	7.03	1.85	2.79	<2.3	24
	--	--	ND	--	190	11	40	<5.0	7.9	<5.0	--	--		<5.0	<1.0	2.92	<1.0	<1.0	<2.3	3.7
124	8,320	--	522	--	192	70	290	5.7	69.7	149	--	--		48.4	4.7	15.97	5.97	5.18	3.8	63.5
	14,083		1224		625	505	810	365.7	247.5	272.1				148.3	39.9	89.85	35.66	20.45	49.0	199.5
1.5	--	--	ND	--	--	ND	--	<2.0	<2.0	<2.0	--	--		2.63	<2.0	<2.0	<2.0	<2.0	<1	<1
	--	--	ND	--	--	2,000	4,700	820 (1,2)	1120 (1,2)	1550 (1,2)	--	--		928 (1,2)	61.0 (1,2)	585 (1,2)	512 (2,9)	254 (2,9)	452	1520(11)
	--	--	ND	--	15,300	--	--	--	--	--	--	--		--	--	--	--	--	--	--
	--	--	ND	--	ND	--	--	--	--	--	--	--		--	--	--	--	--	--	--
<i>MWB</i>																				
0.5	--	--	177	--	68	7	14	26.5	46.1	57.5	--	--		58.9	72.4	29.8	44.0	18.4	62.0	58
140	--	--	ND	--	370	46	56	61.5	79.7	200	--	--		128	16.1	33	81.5	39.8	87	152
12	--	--	--	--	ND	ND	ND	<20.0	<2.0	<10.0	--	--		<10.0	<10.0	<2.0	<10.0	<10.0	<9.2	<8.9
68.6	--	--	ND	--	38	12	ND	27.5	65.2	72.3	--	--		70.2	17.2	<2.0	24.4	<10.0	27	35
	--	--	--	--	1,100	160	380	273	302	477	--	--		249	65.2	63.2	134	55.3	100	133
	--	--	--	--	360	210	220	33.6	57.1	130	--	--		64.4	5.9	21.2	<5.0	<5.0	29	45
124	--	--	2,521	--	476	120	99	169.6	569	863	--	--		719	149.8	48.0	156.4	97.60	161	241
			2,698		952	185	169	285.1	760	1,193				976	256	111	306	155.8	337	486
0.5	--	--	ND	--	--	ND	ND	<2.0	4.9	<2.0	--	--		<2.0	<2.0	<2.0	<2.0	<2.0	<1	<1



PAL	Date Sampled																		
	8/30/90	11/4/90	2/20/91	6/26/91	7/22/91	1/5/93	4/15/93	10/1/93	1/3/94	3/8/94	6/94	9/94	12/5/94	3/13/95	7/5/95	9/18/95	12/14/95	3/6/96	6/20/96
<i>MWC</i>																			
0.5	ND	--	--	--	ND	ND	ND	<0.4	<0.5	<0.5	--	--	<0.5	<5.0	<0.5	0.693	1.03	<0.9	<0.9
140	1	--	--	--	ND	3	ND	<1.0	<1.0	<1.0	--	--	<1.0	<1.0	1.48	2.29	2.01	<1.3	<1.3
12	--	--	--	--	ND	ND	ND	<2.0	<2.0	<2.0	--	--	<2.0	<2.0	<2.0	<2.0	<2.0	<0.9	<1.2
68.6	1	--	--	--	ND	2	ND	<2.0	<2.0	<2.0	--	--	<2.0	<2.0	<2.0	<2.0	<2.0	<1.5	<1.5
	--	--	--	--	ND	1	ND	<1.0	<1.0	<1.0	--	--	<1.0	<1.0	<1.0	3.36	<1.0	<2.3	<2.3
	--	--	--	--	ND	1	ND	<1.0	1.1	<2.0	--	--	<1.0	<1.0	<1.0	<1.0	<1.0	<2.3	<2.3
124	ND	--	--	--	ND	3	ND	<2.0	<2.0	<2.0	--	--	<2.0	<2.0	<1.0	<1.0	1.26	<4.5	<4.5
	2					8		<5.40	<5.5	<5.5			<5.5	<5.5	1.48	2.98	4.35	<8.4	1.2
1.5	--	--	ND	--	--	ND	ND	<2.0	8.1	<2.0	--	--	<2.0	<2.0	<2.0	<2.0	<2.0	<1	<1
	--	--	--	--	--	600	ND	714 (1,2)	167 (1,2)	68.9 (1)	--	--	152 (1,6)	95.8 (1)	181 (1,2)	216 (9)	233 (2,9)	<18	255
	--	--	--	--	ND	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	--	--	--	--	ND	--	--	--	--	--	--	--	--	--	--	--	--	--	--
<i>P2A</i>																			
0.5	--	--	--	--	--	--	--	17.1	49.3	--	--	--	64.1	104.0	19.4	0.764	3.58	93	22
140	--	--	--	--	--	--	--	6.0	<5.0	--	--	--	1.01	14.5	<5.0	<1.0	1.01	<13	1.3
12	--	--	--	--	--	--	--	<2.0	<10.0	--	--	--	<2.0	167.0	237	99.7 (6)	208 (10)	478	130
68.6	--	--	--	--	--	--	--	2.0	17.9	--	--	--	<2.0	2	<10.0	<2.0	<2.0	<15	<1.5
	--	--	--	--	--	--	--	3.0	20.6	--	--	--	1.53	10.6	<5.0	<1.0	1.62	<23	2.4
	--	--	--	--	--	--	--	<1.0	<5.0	--	--	--	<1.0	<1.0	<5.0	<1.0	<1.0	<23	<2.3
124	--	--	--	--	--	--	--	3.5	61.7	--	--	--	5.28	7	<5.0	<1.0	3.32	<45	3.2
								28.6	111				70.39	127.5	19.4	0.8	7.91	93	27.6
1.5	--	--	--	--	--	--	--	<2.0	<2.0	--	--	--	<2.0	<2.0	<2.0	<2.0	<2.0	<1	<1
	--	--	--	--	--	--	--	128 (1,2)	389 (1,2)	--	--	--	60.8 (1,2)	505.0 (7)	585 (1,2)	636 (8)	1340 (8)	5270	1480
<i>P2B</i>																			
0.5	--	--	--	--	--	--	--	101	447	719	--	--	635	33.0	65.2	65.8	71.4	17	25
140	--	--	--	--	--	--	--	196	382	966	--	--	1,070	48.5	107	146	130	31	38
12	--	--	--	--	--	--	--	<2.0	ND	<20.0	--	--	<20.0	<2.0	<2.0	<2.0	<20.0	15	<1.5
68.6	--	--	--	--	--	--	--	82.3	134	239	--	--	323	10.2	29.9	40.4	28.1	9	11
	--	--	--	--	--	--	--	124	358	774	--	--	936	32.5	70.4	121	133	34	42
	--	--	--	--	--	--	--	85.1	52.4	106	--	--	224	4.4	14.0	22.6	24.2	4.8	5.8
124	--	--	--	--	--	--	--	315.1	842.5	1,982	--	--	2,661	51.1	137.50	166.3	156.1	33.3	39.5
								694.4	1805.5	3906			4689	142.8	339.6	418.5	385.6	90.3	113.5
1.5	--	--	--	--	--	--	--	<2.0	ND	<2.0	--	--	<2.0	<2.0	<2.0	<2.0	<2.0	<1	<1
								170 (1,2)	3050 (1,2)	1100 (1,2)			1100 (1,2)	1550 (1,2)	2200 (1,2)	2410 (9)	1970 (2,9)	723	745(12)

PAL	Date Sampled																		
	8/30/90	11/4/90	2/20/91	6/26/91	7/22/91	1/5/93	4/15/93	10/1/93	1/3/94	3/8/94	6/94	9/94	12/5/94	3/13/95	7/5/95	9/18/95	12/14/95	3/6/96	6/20/96
<i>Dup</i>													PZ-B	MW-A	PZ-A	PZ-B	PZ-A	MW-C	PZ-B
0.5	--	--	--	--	--	--	--	--	--	--	--	--	6.51	32.7	18.4	<0.5	3.81	2	25
140	--	--	--	--	--	--	--	--	--	--	--	--	1.05	50.6	<5.0	< 1.0	1.03	2.7	37
12	--	--	--	--	--	--	--	--	--	--	--	--	<2.0	22	253	< 2.0	215 (10)	<0.9	<1.5
68.6	--	--	--	--	--	--	--	--	--	--	--	--	<2.0	9.1	<10.0	< 2.0	<2.0	2.4	11
	--	--	--	--	--	--	--	--	--	--	--	--	1.8	22.7	<5.0	< 1.0	1.66	<2.3	39
	--	--	--	--	--	--	--	--	--	--	--	--	< 1.0	2.6	<5.0	< 1.0	<1.0	<2.3	5.6
124	--	--	--	--	--	--	--	--	--	--	--	--	5.42	48.6	<5.0	< 2.0	3.42	<4.5	38.3
	--												12.98	141	271.4	<5.5	8.26	7.1	111.3
1.5	--	--	--	--	--	--	--	--	--	--	--	--	<2.0	<2.0	<2.0	<2.0	<2.0	<1	<1
	--	--	--	--	--	--	--	--	--	--	--	--	55.3	1380	386 (1)	636 (8)	1370 (8)	125	688(12)
<i>Blank</i>																			
0.5	--	--	--	--	--	--	--	--	--	--	--	--	<0.5	<0.5	<0.5	<0.5	<0.5	<0.9	<0.9
140	--	--	--	--	--	--	--	--	--	--	--	--	<1.0	<1.0	<1.0	<1.0	<1.0	<1.3	<1.3
12	--	--	--	--	--	--	--	--	--	--	--	--	<2.0	<2.0	<2.0	<2.0	<2.0	<0.9	<0.9
68.6	--	--	--	--	--	--	--	--	--	--	--	--	<2.0	<2.0	<2.0	<2.0	<2.0	<1.5	<1.5
	--	--	--	--	--	--	--	--	--	--	--	--	<1.0	<1.0	<1.0	<1.0	<1.0	<2.3	<2.3
	--	--	--	--	--	--	--	--	--	--	--	--	<1.0	<1.0	<1.0	<1.0	<1.0	<2.3	<2.3
124	--	--	--	--	--	--	--	--	--	--	--	--	<1.0	<1.0	<1.0	<2.0	<2.0	<4.5	<4.5
	--	--	--	--	--	--	--	--	--	--	--	--	<5.5	<5.5	<5.5	<5.5	<5.5	<8.2	<8.2
1.5	--	--	--	--	--	--	--	--	--	--	--	--	<2.0	<2.0	<2.0	<2.0	<2.0	<1	<1
	--	--	--	--	--	--	--	--	--	--	--	--	<50	<50	<50	<50	<50	<18	<18
<i>Top blank</i>																			
0.5	--	--	--	--	--	--	--	--	--	--	--	--	<0.5	<0.5	<0.5	<0.5	<0.5	<0.9	<0.9
140	--	--	--	--	--	--	--	--	--	--	--	--	<1.0	<1.0	<1.0	<1.0	<1.0	<1.3	<1.3
12	--	--	--	--	--	--	--	--	--	--	--	--	<2.0	<2.0	<2.0	<2.0	<2.0	<0.9	<0.9
68.6	--	--	--	--	--	--	--	--	--	--	--	--	<2.0	<2.0	<2.0	<2.0	<2.0	<1.5	<1.5
	--	--	--	--	--	--	--	--	--	--	--	--	<1.0	<1.0	<1.0	<1.0	<1.0	<2.3	<2.3
	--	--	--	--	--	--	--	--	--	--	--	--	<1.0	<1.0	<1.0	<1.0	<1.0	<2.3	<2.3
124	--	--	--	--	--	--	--	--	--	--	--	--	<1.0	<1.0	<1.0	<2.0	<2.0	<4.5	<4.5
	--	--	--	--	--	--	--	--	--	--	--	--	<5.5	<5.5	<5.5	<5.5	<5.5	<8.2	<8.2
1.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	--	--	--	--	--	--	--	--	--	--	--	--	<50	<50	<50	<50	--	<18	<18